THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 25873 OF 2007

DATED: 10-12-2007

Between:

T. Kailash Singh,
S/o. Balaji and another

… Petitioners

And

The District Collector,
Ranga Reddy District and two others

… Respondents

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ORDER:

In this writ petition, the petitioners seek a direction to declare the action of the respondents in not allotting alternative lands to them under Rehabilitation Scheme in lieu of the land lost under road widening at Raidurg-Gachibowli villages on old Bombay Road as illegal and arbitrary.

Petitioners 1 and 2 claimed that they were the owners and possessors of the land abutting the road admeasuring about 874 sq. meters and 142.50 sq. meters respectively on the road leading from Raidurg-Gachibowli villages. It is submitted that the said lands were taken possession for the purpose of widening the road with an assurance to allot alternative lands. It is submitted that though possession was taken in the year 1999 and similarly placed persons were already granted alternative lands, but the petitioners were deprived of the same. It is submitted that in view of the land taken possession for the purpose of road widening, initially there was a proposal for allotment of the land in Sy.No. 91. But, however, the said

piece of land was also not given possession as it is stated that the same was utilized for public purpose, i.e. for construction of office of the Police Commissionerate, Cyberabad. The petitioners placed reliance on the letter addressed by the Revenue Divisional Officer, Chevella Division, Ranga Reddy District in letter No.I/3230/99 dated 20-07-2006 wherein the Revenue Divisional Officer requested the Collector, Ranga Reddy District to accord permission to allot the alternative lands to the four effected persons, including that of the petitioners in the land covered by Sy.No.40 of Khajaguda village in lieu of compensation.

When the matter came up before this Court on 06-12-2007, it is adjourned to enable the learned Government Pleader to obtain instructions. It is represented by the learned Government Pleader appearing for the respondents that the matter is under consideration before the District Collector.

From the letter dated 20-07-2006, it is evident that some portion of the lands of the petitioners were acquired and there are proposals for grant of alternative lands. In the letter dt.20-07-2006 addressed by the Revenue Divisional Officer, Chevella Division, Ranga Reddy District to the Collector, R.R.District, the names of the petitioners were figured and the extents, which were taken possession from the petitioners are mentioned as 730 sq.mts and 142 sq.mts., respectively.

The question as to whether the actual entitlement of allotment of alternative lands and the extents thereof are the matters, which are required to be considered by the Collector, R.R.District. As much as it is pleaded that proceedings are pending before the Collector, R.R.District and it is the case of the petitioners that they lost possession as early as in the year 1999, this writ petition is disposed of directing the first respondent-District Collector, R.R.District to take appropriate decision pursuant to letter of the Revenue Divisional Officer, dated 20-07-2006 issued in letter No.I/3230/99 and pass necessary orders and also take consequential steps as expeditiously

as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

Subject to the above direction, writ petition is disposed of. No order as to costs.

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R. SUBHASH REDDY, J.

Dt: 10-12-2007

Note:

Issue C.C.within three days.

B/o.

Rns

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RNS